

# *The Theatres and Cinematographs Regulations*

*Repealed*

by Saskatchewan Regulations 93/2000  
(effective November 2, 2000).

*Formerly*

Chapter T-11 Reg 1 (effective December 15, 1981).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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**CHAPTER T-11 REG 1**  
*The Theatres and Cinematographs Act*

TITLE AND INTERPRETATION

**Title**

- 1** These regulations may be cited as *The Theatres and Cinematographs Regulations*.

**Interpretation**

- 2** In these regulations:

- (a) **“Act”** means *The Theatres and Cinematographs Act*;
- (b) **“drive-in theatre”** means an open air place where persons in vehicles may view moving pictures;
- (c) **“exhibitor”** includes a manager, lessee or owner of a theatre who is in charge of the exhibition of moving pictures;
- (d) **“miniature projector”** means a projector that uses miniature film;
- (e) **“open-air theatre”** means any open air place or area, other than in a city, town or village, to which the public is admitted, and where vaudeville, dramatic, operatic or musical performances are given, but does not include a drive-in theatre;
- (f) **“operator”** means a person who operates a projector;
- (g) **“peace officer”** includes:
  - (i) a member of the Royal Canadian Mounted Police;
  - (ii) a police officer or constable appointed under any Act;
  - (iii) a person appointed under section 45 of *The Police Act* as a special constable or peace officer; and
  - (iv) a person designated as a peace officer by the Lieutenant Governor in Council;
- (h) **“projection room”** means a room in which a projector is installed or operated;
- (i) **“projector”** means a machine in which films or video tapes are used to project pictures on a viewing surface;
- (j) **“provincial highway”** means a provincial highway as defined in *The Highways Act*;
- (k) **“standard projector”** means a projector that uses standard film.

## THEATRE LICENCES

**Drive-in theatres**

3(1) In this section:

- (a) **“off-highway parking”** means an area outside the limits of a highway right-of-way for people to enter the theatre in their vehicles;
  - (b) **“screen tower”** means a structure designed to accommodate the viewing surface for pictures projected by a projector in a drive-in theatre.
- (2) No licence is to be granted for a drive-in theatre unless the applicant provides the director with a certificate, signed by an engineer who is registered pursuant to *The Engineering Act*, stating that the screen tower and screen will withstand a pressure difference of 1200 pascals on any side.
- (3) No licence is to be granted for a new drive-in theatre unless:
- (a) the screen tower is placed so that its viewing surface is not visible from a numbered provincial highway;
  - (b) the entrances and exits are located so that they do not lead directly on to or off a provincial highway; and
  - (c) off-highway parking is provided for at least 25% of the total vehicle capacity of the theatre.

31 Dec 81 cT-11 Reg 1 s3.

**Open-air theatres**

4 No licence is to be granted for an open-air theatre unless the applicant provides the director with details for the provision by the applicant of:

- (a) internal security by bonded security guards in the ratio of one guard for each 500 patrons or portion thereof;
- (b) electrical lighting to provide five foot candles intensity to all areas to which the public has access; and
- (c) emergency health facilities which include a first aid station staffed by a person holding a valid Advanced First Aid Certificate.

31 Dec 81 cT-11 Reg 1 s4.

## OPERATORS AND EXHIBITORS

**Operation of projectors**

5 One operator may operate more than one projector at one time only where:

- (a) all projectors are in one projection room; or
- (b) all projection rooms are in the same building with direct, unobstructed, non-public inside access from one room to the other and, in the case of malfunction of the projector, where each projector is equipped with:
  - (i) automatic controls to shut it off when it malfunctions; and

- (ii) a light or alarm to indicate malfunction.

31 Dec 81 cT-11 Reg 1 s5.

**Film to be approved by board**

6(1) Every exhibitor shall, before exhibiting any film, take adequate steps to ensure that the film has been approved by the board.

(2) Where an exhibitor finds that a film has not been approved by the board pursuant to clause 7(3)(a) of the Act, he shall promptly notify the director to that effect, and he shall not exhibit that film to the public.

31 Dec 81 cT-11 Reg 1 s6.

**Apprentice's licence**

7 Any person who wishes to qualify as an operator shall first obtain an apprentice's licence from the board.

31 Dec 81 cT-11 Reg 1 s7.

**Operator's licence**

8(1) Every applicant for a licence as an operator is required to pass an examination set by the board to determine his ability to operator projectors.

(2) An examination under subsection (1) shall include a written test and practical demonstration.

(3) An applicant who does not pass the examination under this section is not eligible to apply for re-examination until:

- (a) he has operated a projector for an additional 200 hours; and
- (b) 60 days have expired from the date that he most recently took the examination.

(4) Every applicant who passes the examination under this section shall be classified by the board according to his qualifications in accordance with these regulations and the mark he obtains in the examination.

31 Dec 81 cT-11 Reg 1 s8.

**Classes of operators**

9(1) A person classified as:

- (a) a first class operator is eligible to operate any projector in the province;
- (b) a second class operator is eligible to operate:
  - (i) any projector in a town, village or hamlet in a theatre that has a capacity of 500 seats or less; and
  - (ii) miniature projectors in a commercial operation anywhere in the province;
- (c) a third class operator is eligible to operate:
  - (i) a projector in any theatre in a town, village or hamlet in which he has taken his training; and

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(ii) miniature projectors in a commercial operation anywhere in the province.

(2) Notwithstanding clauses (1)(b) and (c), every standard projector in a drive-in theatre within a radius of 16 kilometres of a city shall be operated by a first class operator.

31 Dec 81 cT-11 Reg 1 s9.

**Qualifications of first class operator**

**10(1)** To be eligible for examination as a first class operator the person applying shall:

- (a) possess a second class operator standing;
- (b) have operated projectors in a theatre for a period of at least six months; and
- (c) have served at least 500 hours operating time.

(2) Upon application for examination as a first class operator, the applicant shall produce to the director a certificate, signed by the operator or exhibitor under whom he has served, stating that he fulfills the requirements listed in subsection (1).

31 Dec 81 cT-11 Reg 1 s10.

**Qualifications of second class operator**

**11** To be eligible for examination as a second class operator the person applying shall:

- (a) have served as an apprentice for at least six months under a duly licenced first or second class operator, and produce a certificate to that effect signed by the operator or exhibitor under whom he served; or
- (b) have held a third class operator's licence for at least six months.

31 Dec 81 cT-11 Reg 1 s11.

**Exemption from certain qualifications**

**12(1)** Notwithstanding section 7, subsection 10(1) and section 11, the director may permit a person who:

- (a) has held an operator's licence or its equivalent in any other province or jurisdiction; and
- (b) provides proof of his qualifications to the satisfaction of the director;

to take an examination without having served as an apprentice, and may allow that person to operate projectors for a period of 30 days prior to the date he takes the examination.

(2) Notwithstanding sections 7 and 11 and subsection (1), the director may issue an operator's licence to any person who has held an operator's licence or its equivalent in any other province or jurisdiction without an examination, but that licence is valid only for:

- (a) a period of two months; and
- (b) the operation of a projector to show a special feature.

31 Dec 81 cT-11 Reg 1 s12.

**Restriction on apprentice**

**13(1)** No apprentice shall operate any projector except in the presence of a licensed operator.

(2) No exhibitor or operator shall permit an apprentice to operate a projector unless a licensed operator is present.

31 Dec 81 cT-11 Reg 1 s13.

**Suspension, revocation of licence**

**14** Where the holder of an operator's licence is convicted of a violation of the Act or these regulations, the director may suspend or revoke his licence.

31 Dec 81 cT-11 Reg 1 s14.

**Duty of exhibitor**

**15** No exhibitor shall permit any person to operate a projector in violation of the Act or these regulations.

31 Dec 81 cT-11 Reg 1 s15.

**Duty of operator *re* licence**

**16** An operator shall show proof of his being licensed upon the request of a peace officer.

31 Dec 81 cT-11 Reg 1 s16.

**Itinerant exhibitor**

**17(1)** Every itinerant exhibitor of moving pictures shall, upon application for a licence, submit a list of addresses and locations of places where he intends to exhibit and the dates of those exhibitions.

(2) The addresses and locations of places submitted pursuant to subsection (1) shall be endorsed on the licence, and no person shall exhibit in any place not endorsed on the licence without the permission of the director.

31 Dec 81 cT-11 Reg 1 s17.

## EXHIBITION OF FILMS

### Classifications and warnings

**18(1)** In addition to classifying film pursuant to clause 7(3)(c) of the Act, the board shall determine whether the public should be warned of potentially offensive scenes, language or violence contained in any film.

(2) No film that has been classified may be publicly exhibited unless:

(a) all graphic or written advertisements for the film distributed or posted after the date of classification include the correct classification and any warnings under subsection (1); and

(b) the classification and any warnings are displayed in a part of the theatre so as to be readily seen by the public before paying admission.

31 Dec 81 cT-11 Reg 1 s18.

### Payment of fee prior to exhibiting film

**19** No film shall be publicly exhibited in Saskatchewan unless the exhibitor or film exchange has paid the fee prescribed in section 24.

31 Dec 81 cT-11 Reg 1 s19.

### Prohibition *re* drive-in theatre

**20** A film designated as “not to be shown in drive-in theatres” shall not be shown in a drive-in theatre.

31 Dec 81 cT-11 Reg 1 s20.

### Deletions and additions to films

**21** No person shall publicly exhibit a film that has been added to or deleted from after it has been passed by the board, unless deletions or additions are made in order to repair film.

31 Dec 81 cT-11 Reg 1 s21.

## SEIZURE OF FILM

### Power to seize

**22** Where a peace officer has reasonable and probable grounds to believe and does believe that a film is being or has been shown to the public in contravention of these regulations or the Act, he may, without warrant, enter any theatre between the hours of 8:00 a.m. and 8:00 p.m., or during the operating hours of the theatre, and seize the film.

31 Dec 81 cT-11 Reg 1 s22.



## FEES

**Licence fees**

**23** The fee for:

- (a) a five-year theatre or drive-in theatre licence is:
  - (i) \$150 in a city with a population of 10,000 or more;
  - (ii) \$50 in a city, town, village or hamlet with a population of less than 10,000;
- (b) an open-air theatre licence is \$200 per day and is to be paid at least seven days prior to the proposed use of the open-air theatre;
- (c) a five-year public hall licence is:
  - (i) \$60 in a city;
  - (ii) \$15 in a town, village or hamlet;
- (d) a one-year film exchange licence is \$300;
- (e) a one-year itinerant exhibitor licence is \$50;
- (f) a one-year advertisement film licence is \$10;
- (g) a projector operator's one-year licence is \$15;
- (h) a projector operator's five-year licence is \$45;
- (i) a six-month apprentice licence is \$15;
- (j) a two-month itinerant exhibitor operator's licence under subsection 12(2) is \$50.

31 Dec 81 cT-11 Reg 1 s23.

**Review fees**

**24** The following fees are payable to the board by an exhibitor, itinerant exhibitor or film exchange for the review of each film:

- (a) \$250 if the film is 30 minutes or more in length;
- (b) \$50 if the film is less than 30 minutes but more than 5 minutes in length;
- (c) \$5 if the film is less than 5 minutes in length and is not a preview of a film that is more than 30 minutes in length.

31 Dec 81 cT-11 Reg 1 s24.

## GENERAL

**Re-issued films**

**25** Every film intended for re-issue after a period of 10 years from the date of review by the board is to be considered as a new film and is subject to further review and reclassification by the board.

31 Dec 81 cT-11 Reg 1 s25.

**Licence transferable**

**26** Every licence for a theatre or public hall is transferable to the subsequent owners, managers or lessees of the building so licenced.

31 Dec 81 cT-11 Reg 1 s26.